



**ZONING BOARD OF APPEALS
TOWN OF GRAFTON**

GRAFTON MEMORIAL MUNICIPAL CENTER
30 PROVIDENCE ROAD
GRAFTON, MASSACHUSETTS 01519

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2019 OCT 28 PM 2:15

**THE COMMONWEALTH OF MASSACHUSETTS
Town of Grafton
BOARD OF APPEALS**

2019/Case #863

Special Permit

Decision of the Board of Appeals on the petition from MAXWELL REALTY TRUST OF 58 CASTINE STREET, WORCESTER, MA, requesting a Special Permit to allow the construction of a roof dormer/addition on a pre-existing, non-conforming structure, where a 15' side yard setback is required and the current setback is 1.6'. **BOOK: 60288 PAGE: 300**

At their duly held meeting on Thursday, October 17, 2019 the Zoning Board of Appeals took the following action: Motion made by Ms. Reed and seconded by Mr. Chapin, that the Zoning Board of Appeals grant a Special Permit to Maxwell Realty Trust at 33 BERNARD ROAD, GRAFTON, MA.

TO ALLOW THE CONSTRUCTION OF A ROOF DORMER/ADDITION 13.6' OFF THE SIDE SETBACK, PER EXHIBIT A, ATTACHED.

FINDINGS:

- F1. THE STRUCTURE WAS BUILT IN 1928.
- F2. THE PARCEL IS LOCATED IN THE R20 ZONING DISTRICT.
- F3. THE R20 ZONE REQUIRES A 140' OF FRONTAGE.
- F4. THE PARCEL HAS 50' OF FRONTAGE.
- F5. THE R20 ZONE REQUIRES A 20,000 SQUARE FOOT LOT.
- F6. THE STRUCTURE IS LOCATED ON A 4,325 SQUARE FOOT LOT.
- F7. THE R20 ZONE REQUIRES A 15' SIDE YARD SETBACK AND THE STRUCTURE IS LOCATED 1.6' OFF THE SIDE YARD SETBACK.
- BASED ON FINDINGS F1-F7, THE CURRENT STRUCTURE IS A PRE-EXISTING, NON-CONFORMING STRUCTURE.
- F8. THE CURRENT USE IS A SINGLE FAMILY RESIDENCE, THE PROPOSED USE WILL BE A SINGLE FAMILY RESIDENCE.
- F9. THE CURRENT HOME IS A 2 BEDROOM, 1 ½ BATH HOME, PROPOSED HOME IS A 2 BEDROOM, 1 ½ BATH HOME.
- F10. THE NEIGHBORHOOD CONSISTS OF PRIMARILY SINGLE FAMILY HOMES.

BASED ON FINDINGS F8-F10, THE PROPOSED ADDITION IS NOT MORE
DETRIMENTAL TO THE NEIGHBORHOOD.

F11. THE LOT IS IN THE WATER SUPPLY PROTECTION OVERLAY DISTRICT.

F12. THE CHANGE WILL BE AN INCREASE OF 0% OF THE LOT COVERAGE.

BASED ON FINDINGS F11-F12, THE PROPOSED ADDITION IS LESS THAN THE 50%
INCREASE ALLOWED.

ON A ROLL CALL VOTE:

William McCusker, Chairman: **YES**

William Yeomans, Vice Chairman: **ABSENT**

Kay Reed, Clerk: **YES**

Marianne Desrosiers, Member: **YES**

Karl Chapin, Member: **YES**

Brian Waller, Alternate Member: **YES**

, Alternate Member:

Motion: **GRANTED**

This decision is final except that any person who may be aggrieved by this decision has the right
to appeal to the Superior Court in accordance with the provisions G.L.c.40A.

William McCusker, Chairman

William Yeomans, Vice Chairman

Kay Reed, Clerk

Marianne Desrosiers, Member

Karl Chapin, Member

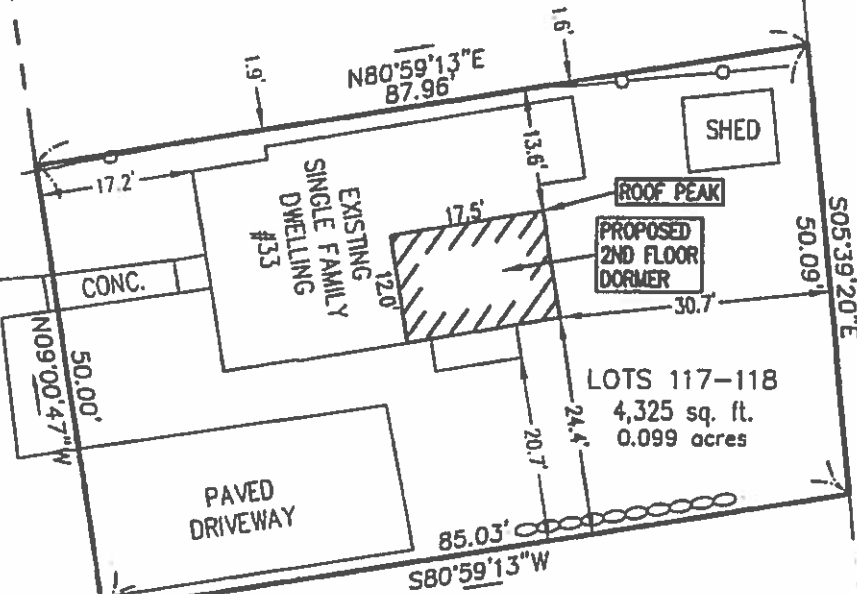
Brian Waller, Alternate Member

, Alternate Member

A complete file of this case (Case # 863/2019) is on file with the Town Clerk.

BERNARD ROAD
(PUBLIC ~ 40.0' WIDE)

N/F
SANDRA L.
PAQUETTE
BK. 47443 PG. 375
LOTS 115-116
PL. BK. 41 PL. 14



N/F
ERIC S. & JESSICA
WESTCOTT
BK. 50297 PG. 377
LOTS 121-127
PL. BK. 41 PL. 14

N/F
ELIZABETH T. GORDON
REVOCABLE LIVING TRUST
BK. 35027 PG. 111
LOTS 119-120
PL. BK. 41 PL. 14

LOGAN ROAD

DEED REF: 60288/300
PLAN REF: 41/14
ZONED: R2
ASSESSORS REF: MAP 55 PARCEL 71

PLAN FOR BUILDING PERMIT

PREPARED FOR:
MAXWELL REALTY TRUST
33 BERNARD ROAD
GRAFTON, MASSACHUSETTS

SCALE: 1"=20'

DATE: SEPTEMBER 13, 2019

B&R SURVEY, INC.
PROFESSIONAL LAND SURVEYORS

100 GROVE STREET
WORCESTER, MA 01605

TEL. 508.758.8579
FAX. 508.421.4797

ROBERT J. SMITH, R.P.L.S.

DATE

DRAWN BY: RPB

PROJECT NO. 19-245